

Message Text

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73

ACTION DLOS-06

INFO OCT-01 ARA-16 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 CEQ-02 COA-02 COME-00 EB-11 EPA-04

IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20

DOT-00 FMC-04 INT-08 JUSE-00 OMB-01 TRSE-00 DRC-01

/206 W

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R 191555Z MAR 74

FM AMEMBASSY SAN SALVADOR

TO SECSTATE WASHDC 5007

INFO AMEMBASSY GUATEMALA

AMEMBASSY TEGUCIGALPA

AMEMBASSY BRIDGETOWN

AMEMBASSY POR OF SPAIN

AMEMBASSY BUENOS AIRES

AMEMBASSY MONTEVIDEO

AMEMBASSY SANTO DOMINGO

AMEMBASSY LA PAZ

C O N F I D E N T I A L SAN SALVADOR 1088

E.O. 11652: GDS

TAGS: PBOR

SUBJECT: LOS: PROPOSED VISIT OF LOS TEAM

REF: STATE 53205

1. WE WOULD WELCOME VISIT OF PROPOSED TEAM TO REVIEW US LOS
POLICIES WITH APPROPRIATE GOES OFFICIALS. HOWEVER, TIMING
PRESENTS SOMETHING OF A PROBLEM. ALL GOVERNMENT OFFICES
WILL BE CLOSED ENTIRE EASTER WEEK APRIL 8-14 AND MANY GOVERNMENT
LEADERS WILL BE AWAY ON VACATIONS. AND, AS NOTED BY DEPT.,
OASGA OPENS IN ATLANTA APRIL 19 WITH MANY OF THE DELEGATES ALSO
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ATTENDING THE MEETING OF AMERICAN FOREIGN MINISTERS WITH THE

SECRETARY IN WASHINGTON APRIL 17-18.

2. IN THE CASE OF EL SALVADOR, THE HIGH LEVEL DECISION MAKERS CONCERNED WITH LOS MATTERS WOULD INCLUDE, ROUGHLY IN ORDER OF THEIR IMPORTANCE, DR. GALINDO POHL, EL SALVADOR'S PERMANENT REP TO THE UN, UNDER-SECRETARY OF FOREIGN RELATIONS DR. RICARDO GUILLERMO CASTANEDA, FONOFF LEGAL CONSULANT AND LOS EXPERT DR. ALFREDO MARTINEX MORENO, AND FONOFF DIRECTOR OF BOUNDARY MATTERS DR. ROBERTO ARTURO CASTRILLO HIDALGO. (FOREIGN MINISTER BORGONOVO, AN ENGINEER BY PROFESSION AND NOT EXPERIENCED IN LOS MATTERS, WILL RELY ON THE FOREGOING ADVISORS TO SET LOS POLICY.) DR. GALINDO POHL OF COURSE RESIDES IN NEW YORK AND VISITS WASHINGTON FREQUENTLY;

HE WILL BE ATTENDING BOTH THE WASHINGTON FOREIGN MINISTERS MEETING AND THE SUBSEQUENT OASGA. HE CARRIES SPECIAL WEIGHT AS FAR AS THE SALVADORAN POSITION ON THE LOS IS CONCERNED AND WILL CHAIR SALVADOR'S DELEGATIONS TO BOTH THE NAIROBI AND CARACAS CONFERENCES. HE IS INTERNATIONALLY RECOGNIZED EXPERT ON LOS AND HIS VIEWS WILL BE CRUCIAL TO THE UPPER LEVELS OF THE GOES. TEAM MAY WISH TO CONSULT HIM IN NEW YORK OR WASHINGTON; HE WOULD BE ESPECIALLY OPEN TO APPROACHES BY FORMER LEGAL ADVISOR STEVENSON WHOM BOTH HE AND MARTINEZ MOR F# HOLD IN VERY HIGH REGARD.

3. UNDER-SECRETARY CASTANEDA WOULD PROBABLY BE AVAILABLE FOR CONSULTATION WITH THE US TEAM HERE BETWEEN APRIL 16 AND 23 AFTER WHICH HE WILL REPLACE FONMIN BORGONOVO AT THE OASGA. MARTINEZ MORENO AND CASTRILLO WOULD PRESUMABLY BE AVAILABLE FOR CONSULTATION DURING THE SAME PERIOD.

4. AS TO ISSUES THAT MIGHT BE DISCUSSED, EL SALVADOR IS OF COURSE A 200 MILE TERRITORIAL SEA CLAIMANT AND ITS CLAIM IS EMBODIED IN ITS CONSTITUTION. HOWEVER, THE CONSTITUTION ALSO HOLDS THAT ITS CLAIM "DOES NOT AFFECT FREEDOM OF NAVIGATION IN ACCORDANCE WITH THE PRINCIPLES ACCEPTED BY INTERNATIONAL LAW." THEREFORE, US ARGUMENTS AGAINST EXTENDED TERRITORIAL SEA CLAIMS WHICH ARE BASED ON THE EFFECTS ON COMMERCE SUCH

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AS FOUND IN DEPARTMENT'S A-1666 CARRY LITTLE WEIGHT HERE AND THE US TEAM SHOULD TAILOR ITS PRESENTATION ACCORDINGLY. THE TEAM SHOULD ALSO BE PREPARED TO DISCUSS FULLY US VIEWS ON SPECIAL RIGHTS OF COASTAL STATES TO MARINE AND SUB-SOIL RESOURCES SINCE THE SALVADORAN 200 MILE CLAIM IS AIMED AT SUCH RESOURCES RATHER THAN AT FULL TERRITORIAL RIGHTS. ON THE STRAITS ISSUE, EL SALVADOR HAS LITTLE INTEREST IN THE MATTER PER SE; HOWEVER, IT IS COMMITTED TO SUPPORT SPAIN'S POSITION IN EXCHANGE FOR

THE LATTER'S ENDORSEMENT O ITS 200 MILE CLAIM. IN
GENERAL, THE US APPROACH TOWARD THE GOES ON LOS MATTERS SHOULD
NOT SIMPLY STATE WHAT THE US SEEKS BUT SHOULD POINT OUT HOW
SALVADORAN BASIC INTERESTS WILL BE ADEQUATELY SERVED BY OUR
POSITION.
MOSKOWITZ

NOTE BY OC/T: # AS RECEIVED, WILL BE SERVICED UPON REQUEST.

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